

KELLEY DRYE & WARREN LLP

A LIMITED LIABILITY PARTNERSHIP

1200 19TH STREET, N.W.

SUITE 500

WASHINGTON, D.C. 20036

(202) 955-9600

FACSIMILE

(202) 955-9792

www.kelleydrye.com

NEW YORK, NY
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August 10, 2005

TODD D. DAUBERT
DIRECT LINE (202) 955-9788
E-MAIL: tdaubert@kelleydrye.com

Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: **WC Dockets Nos. 05-196 and 04-36**
Subscriber Notification Report

Dear Ms. Dortch:

MCC Telephony, Inc., by its attorneys and on behalf of itself and its state operating affiliates (collectively "MCC Telephony"), hereby files the attached "Subscriber Notification Report" in accordance with the requirements set forth in the Federal Communication Commission's Public Notice, *Enforcement Bureau Provides Guidance to Interconnected Voice Over Internet Protocol Service Providers Concerning the July 29, 2005 Subscriber Notification Deadlines*, WC Docket Nos. 04-36 and 05-196, DA 05-2085 (rel. July 26, 2005). Please feel free to contact the undersigned if you have any questions or need additional information.

Sincerely,



Todd D. Daubert,
Counsel for MCC Telephony

Attachment

**MCC Telephony
Subscriber Notification Report
WC Dockets 04-36 and 05-196**

MCC Telephony, Inc. submits the following Subscriber Notification Report ("Report") on behalf of itself and its state operating affiliates (collectively "MCC Telephony"). MCC Telephony consists of wholly owned subsidiaries of Mediacom Communications Corporation, a cable MSO. MCC Telephony offers voice communications services using a Voice over Internet Protocol ("VoIP") platform based on the DOCSIS-compliant packet cable technology.

This Report contains all of the information described in the Federal Communications Commission's Public Notice, *Enforcement Bureau Provides Guidance to Interconnected Voice Over Internet Protocol Service Providers Concerning the July 29, 2005 Subscriber Notification Deadlines*, WC Docket Nos. 04-36 and 05-196, DA 05-2085 (rel. July 26, 2005) ("Public Notice"). Accordingly, MCC Telephony has fully satisfied the condition set forth in the Public Notice to qualify for immunity from any enforcement action regarding the requirement that MCC Telephony obtain affirmative acknowledgement by every existing subscriber until August 30, 2005.

Detailed description of all actions MCC Telephony has taken to specifically advise every subscriber, prominently and in plain language, of the circumstances under which E911 service may not be available through the interconnected VoIP service and/or may be in some way limited by comparison to traditional E911 service.

On July 29th, 2005, MCC Telephony distributed the following items to each existing Mediacom phone service customer by first class mail:

- two copies of an E911 advisory ("Advisory"), which is appended hereto as Attachment A;
- two E911 warning stickers, which are appended hereto as Attachment B; and
- a self-addressed, postage-paid return envelope.

MCC Telephony asked each existing Mediacom phone service customer to sign and return one copy of the Advisory in acknowledgement of the customer's receipt and understanding of the Advisory, and to retain the other copy of the Advisory for future reference.

Also on July 29th, 2005, MCC Telephony began distributing two copies of a similar Advisory, which is appended hereto as Attachment C, and E911 warning stickers, which are appended hereto as Attachment B, to each new customer as part of the installation process. Each new customer is required to sign and return one copy of the Advisory in acknowledgment that they have received and understood the Advisory.

Today, August 10, 2005, MCC Telephony began contacting by telephone those customers installed before July 29, 2005, who have yet to return a signed copy of the Advisory to MCC Telephony. MCC Telephony relies on the same vendor it uses for third party verification to call each customer who has yet to return a signed copy of the Advisory to MCC Telephony. MCC Telephony provided the following script to the vendor for use in making these calls:

Your Mediacom phone service includes access to E911 service and provides battery backup in case of a power outage. E911 will not be accessible in the event of an extended power outage, battery backup failure, a network outage, or other technical problems. Do you understand?

Mediacom phone service is not portable. You must contact Mediacom at 1-866-321-1667 if you wish to move the service from the physical address where it was installed. If you do not contact Mediacom, the service may not work and will provide emergency services with the installed service address, causing them to respond to the wrong location. Do you understand?

If the call cannot be completed with full acknowledgement, the script concludes with the following:

We are unable to complete this verification. Thank you for your time. The FCC expects us to discontinue your Mediacom phone service by August 30th unless we obtain verification from you. If you have any questions, please call Mediacom at 1-866-321-1667.

Quantification of how many of MCC Telephony's subscribers, on a percentage basis, have submitted an affirmative acknowledgement, as of the date of the report, and an estimation of the percentage of subscribers from whom MCC Telephony does not expect to receive an acknowledgement by August 29, 2005.

As of August 10, 2005, approximately 33% of MCC Telephony's subscribers have submitted an affirmative acknowledgement. MCC Telephony respectfully submits that it is impossible to give a reliable estimate of the percentage of subscribers from whom it does not expect to receive acknowledgement by August 29, 2005. However, in order to satisfy fully the condition for immunity, MCC Telephony estimates that between 0 (zero) and 20 (twenty)% of our subscribers will not have returned an acknowledgement by August 29, 2005.

Detailed description of whether and how MCC Telephony has distributed to all subscribers warning stickers or other appropriate labels warning subscribers if E911 service may be limited or not available and instructing the subscriber to place them on and/or near the customer premises equipment used in connection with the interconnected VoIP service.

As explained above, on July 29, 2005 MCC Telephony distributed warning stickers, which are appended as Attachment B, by first-class mail to existing customers and as part of the installation process for new customers. The Advisory that accompanies the warning stickers instructs customers to place the stickers “on or near all phones connected to Mediacom phone service to alert guests and members of your family who may not see this advisory.” Each subscriber received four copies of each of the two types of Mediacom warning stickers.

Quantification of how many subscribers, on a percentage basis, to whom MCC Telephony did not send the advisory described in the first bullet above and/or to whom MCC Telephony did not send warning stickers or other appropriate label as identified in the bullet immediately above.

Based upon knowledge and belief, MCC Telephony sent the Advisory and the warning stickers to all of its subscribers, and thus approximately 0% of our customers were not sent the advisory and warning stickers.

Detailed description of any and all actions MCC Telephony plans on taking towards any of its subscribers that do not affirmatively acknowledge having received and understood the advisory, including, but not limited to, disconnecting the subscriber’s VoIP service with the Company no later than August 30, 2005.

MCC Telephony will continue to make efforts to obtain every subscriber’s acknowledgement by August 29, 2005 and may employ additional methods depending on the effectiveness of the outbound calling campaign begun today, August 10, 2005. Future methods may include phone calls and personal visits from MCC Telephony personnel.

All future communications with existing subscribers seeking acknowledgement of receipt and understanding of the Advisory will include a notice similar to the outbound calling script above, warning that “The FCC expects us to discontinue your Mediacom phone service by August 30th unless we obtain verification from you.” MCC Telephony hopes to avoid disconnecting customers, but in light of the FCC’s expectation that we do so, we will prepare for that possibility in as responsible a manner as possible given the timeframe. Many of our customers have switched their service and their phone numbers from the incumbent local exchange carrier (ILEC) in their area and have their inside wiring connected to Mediacom phone service. Therefore, we will have to ensure that the customer has an opportunity to re-connect with another provider and does not lose service entirely before we fully disconnect. We are exploring ways to ensure our customers will not be left without basic service or a means of accessing E911 if we are forced to disconnect them.

Detailed description of how MCC Telephony is currently maintaining any acknowledgements received from its subscribers.

MCC Telephony is maintaining hard copies of all signed advisories received in response to the July 29, 2005 mailing described above at its corporate headquarters at 100 Crystal Run Road, Middletown, NY 10941. Signed advisories for installations on or after July 29, 2005 are maintained with the work orders associated with the each installation in the Mediacom's local field offices. Recorded acknowledgements obtained through our outbound calling campaign will be maintained by the contractor and made available to Mediacom as sound files through a secure website. MCC Telephony maintains the status of E911 acknowledgement for each customer account as a field in our central customer account database.

Name, title, address, phone number, and e-mail address of the person responsible for MCC Telephony's compliance efforts with the VoIP E911 Order.

Calvin Craib
President
MCC Telephony, Inc.
100 Crystal Run Road
Middletown, NY 10941
845-695-2600
ccraib@mediacomcc.com

ATTACHMENT A



Important 911 Advisory Response Required

NAME HERE
12 STREET ADDRESS
CITY, STATE
ZIP

Dear NAME HERE,

Thank you for choosing Mediacom phone service. We believe we have a great product and are excited about giving customers a new choice in phone service and an excellent value. **We are required by the Federal Communications Commission (FCC) to obtain your acknowledgement that you have received and understand this advisory. Please take the time to read this advisory carefully.**

Your Mediacom phone service includes Enhanced 911 (E911) as a standard feature, but there are certain circumstances in which E911 may not be available. For your safety and that of your family, we want to make sure you understand both the capabilities and limitations of our E911 service.

Enhanced 911 allows us to deliver your address and call-back number automatically to local 911 emergency service personnel when you need help. Mediacom phone service includes Enhanced 911 wherever the local emergency network supports it and provides a battery backup in the event of a brief power outage in your home.

However, E911 will not be available or function properly:

- If there is an extended power outage in your home and the battery backup is exhausted or if battery backup fails.
- If there is a problem with the network or equipment used to provide Mediacom phone service, including a problem with network facilities, equipment, power or another technical problem or if Mediacom equipment in your home fails, is moved or interfered with.
- If you violate the subscriber agreement by relocating the equipment from the physical address where Mediacom phone service was installed, which will render the service inoperable or cause emergency authorities to respond to the wrong address, or if you do not provide the correct service address in the first instance.

Please consider these limitations carefully and make sure you and your family are prepared in case Mediacom phone service E911 is not available in an emergency. We strongly urge you to take the time now to identify an alternative means for contacting emergency services and make sure all members of your household have ready access.

Please retain one copy for your records and sign, date and return the second copy in the postage-paid envelope provided. Also, please place the enclosed stickers on or near all phones connected to Mediacom phone service to alert guests and members of your family who may not see this advisory.

Please contact us at 1-866-321-1667 if you would like further information or additional stickers.

I have read and I understand the information provided above about Mediacom phone service and have received stickers to place on or near my phones.

Signature _____ Date _____

Name: _____

Service Address: _____

Mediacom phone service number: _____

ATTACHMENT B

FCC E911 Advisory Labels for Mediacom phone service:
Place these stickers on and/or near each phone or other equipment connected to Mediacom phone service.

| | | | |
|---|---|---|---|
| <p align="center">IMPORTANT E9-1-1 NOTICE</p> <p>E911 may not be available through Mediacom phone service:</p> <ul style="list-style-type: none"> • During a power outage • During a Mediacom network outage or other technical problems <p>PLEASE DO THE FOLLOWING:</p> <p>1 CHECK FOR DIAL TONE. If there is dial tone, dial 9-1-1.</p> <p>2 If there is no dial tone or if emergency personnel do not answer when you dial 9-1-1, do not attempt to dial 9-1-1 from any phone connected to Mediacom phone service. USE AN ALTERNATIVE SERVICE.</p> <p>Mediacom phone service is not portable. E911 WILL NOT WORK PROPERLY OR AT ALL IF YOU ATTEMPT TO MOVE IT FROM THE INSTALLED SERVICE ADDRESS. If you wish to move it to a different service address, you must call 1-866-321-1667 to process the change.</p> | <p align="center">IN CASE OF EMERGENCY</p> <p>1 CHECK FOR DIAL TONE. If there is no dial tone or if emergency personnel do not answer when you dial 9-1-1, do not attempt to dial 9-1-1 from any phone connected to Mediacom phone service. USE AN ALTERNATIVE SERVICE.</p> <p>2 If there is dial tone, dial 9-1-1.</p> <p>Please do the following:</p> | <p align="center">IMPORTANT E9-1-1 NOTICE</p> <p>E911 may not be available through Mediacom phone service:</p> <ul style="list-style-type: none"> • During a power outage • During a Mediacom network outage or other technical problems <p>PLEASE DO THE FOLLOWING:</p> <p>1 CHECK FOR DIAL TONE. If there is dial tone, dial 9-1-1.</p> <p>2 If there is no dial tone or if emergency personnel do not answer when you dial 9-1-1, do not attempt to dial 9-1-1 from any phone connected to Mediacom phone service. USE AN ALTERNATIVE SERVICE.</p> <p>Mediacom phone service is not portable. E911 WILL NOT WORK PROPERLY OR AT ALL IF YOU ATTEMPT TO MOVE IT FROM THE INSTALLED SERVICE ADDRESS. If you wish to move it to a different service address, you must call 1-866-321-1667 to process the change.</p> | <p align="center">IN CASE OF EMERGENCY</p> <p>1 CHECK FOR DIAL TONE. If there is no dial tone or if emergency personnel do not answer when you dial 9-1-1, do not attempt to dial 9-1-1 from any phone connected to Mediacom phone service. USE AN ALTERNATIVE SERVICE.</p> <p>2 If there is dial tone, dial 9-1-1.</p> <p>Please do the following:</p> |
| <p align="center">IMPORTANT E9-1-1 NOTICE</p> <p>E911 may not be available through Mediacom phone service:</p> <ul style="list-style-type: none"> • During a power outage • During a Mediacom network outage or other technical problems <p>PLEASE DO THE FOLLOWING:</p> <p>1 CHECK FOR DIAL TONE. If there is dial tone, dial 9-1-1.</p> <p>2 If there is no dial tone or if emergency personnel do not answer when you dial 9-1-1, do not attempt to dial 9-1-1 from any phone connected to Mediacom phone service. USE AN ALTERNATIVE SERVICE.</p> <p>Mediacom phone service is not portable. E911 WILL NOT WORK PROPERLY OR AT ALL IF YOU ATTEMPT TO MOVE IT FROM THE INSTALLED SERVICE ADDRESS. If you wish to move it to a different service address, you must call 1-866-321-1667 to process the change.</p> | <p align="center">IN CASE OF EMERGENCY</p> <p>1 CHECK FOR DIAL TONE. If there is no dial tone or if emergency personnel do not answer when you dial 9-1-1, do not attempt to dial 9-1-1 from any phone connected to Mediacom phone service. USE AN ALTERNATIVE SERVICE.</p> <p>2 If there is dial tone, dial 9-1-1.</p> <p>Please do the following:</p> | <p align="center">IMPORTANT E9-1-1 NOTICE</p> <p>E911 may not be available through Mediacom phone service:</p> <ul style="list-style-type: none"> • During a power outage • During a Mediacom network outage or other technical problems <p>PLEASE DO THE FOLLOWING:</p> <p>1 CHECK FOR DIAL TONE. If there is dial tone, dial 9-1-1.</p> <p>2 If there is no dial tone or if emergency personnel do not answer when you dial 9-1-1, do not attempt to dial 9-1-1 from any phone connected to Mediacom phone service. USE AN ALTERNATIVE SERVICE.</p> <p>Mediacom phone service is not portable. E911 WILL NOT WORK PROPERLY OR AT ALL IF YOU ATTEMPT TO MOVE IT FROM THE INSTALLED SERVICE ADDRESS. If you wish to move it to a different service address, you must call 1-866-321-1667 to process the change.</p> | <p align="center">IN CASE OF EMERGENCY</p> <p>1 CHECK FOR DIAL TONE. If there is no dial tone or if emergency personnel do not answer when you dial 9-1-1, do not attempt to dial 9-1-1 from any phone connected to Mediacom phone service. USE AN ALTERNATIVE SERVICE.</p> <p>2 If there is dial tone, dial 9-1-1.</p> <p>Please do the following:</p> |

ATTACHMENT C



Phone Service

Provided by MCC Telephony

Important 911 Advisory Response Required

Dear Customer:

Thank you for choosing Mediacom phone service. We believe we have a great product and are excited about giving customers a new choice in phone service and an excellent value. **We are required by the Federal Communications Commission (FCC) to obtain your acknowledgement that you have received and understand this advisory. Please take the time to read this advisory carefully.**

Your Mediacom phone service includes Enhanced 911 (E911) as a standard feature, but there are certain circumstances in which E911 may not be available. For your safety and that of your family, we want to make sure you understand both the capabilities and limitations of our E911 service.

Enhanced 911 allows us to deliver your address and call-back number automatically to local 911 emergency service personnel when you need help. You will be able to reach an emergency operator by dialing 9-1-1 as soon as your service is installed. But there will be a delay of 24 to 48 hours after installation before you are entered into the location database that delivers your address to emergency personnel. Mediacom phone service includes Enhanced 911 wherever the local emergency network supports it and provides a battery backup in the event of a brief power outage in your home.

However, E911 will not be available or function properly:

- If there is an extended power outage in your home and the battery backup is exhausted or if battery backup fails.
- If there is a problem with the network or equipment used to provide Mediacom phone service, including a problem with network facilities, equipment, power or another technical problem or if Mediacom equipment in your home fails, is moved or interfered with.
- If you violate the subscriber agreement by relocating the equipment from the physical address where Mediacom phone service was installed, which will render the service inoperable or cause emergency authorities to respond to the wrong address, or if you do not provide the correct service address in the first instance.

Please consider these limitations carefully and make sure you and your family are prepared in case Mediacom phone service E911 is not available in an emergency. We strongly urge you to take the time now to identify an alternative means for contacting emergency services and make sure all members of your household have ready access.

Please retain one copy of this advisory for your records and sign, date and return the second copy to the installer. Also, please place the enclosed stickers on or near all phones connected to Mediacom phone service to alert guests and members of your family who may not see this advisory.

Please contact us at 1-866-321-1667 if you would like further information or additional stickers.

I have read and I understand the information provided above about Mediacom phone service and have received stickers to place on or near my phones.

Signature _____

Date _____

Name: _____

Service Address: _____

Mediacom phone service number: _____